

REGIONAL MUNICIPALITY OF OTTAWA CARLETON
MUNICIPALITÉ RÉGIONALE D'OTTAWA CARLETON

REPORT
RAPPORT

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DATE 29 December 1997

TO/DEST. Co-ordinator Transportation Committee

FROM/EXP. Director Mobility Services and Corporate Fleet Services
Environment and Transportation Department

SUBJECT/OBJET **TRAFFIC AND PARKING BY-LAW - CONTROLLED-ACCESS
ROADS/HOV LANES**

DEPARTMENTAL RECOMMENDATIONS

That the Transportation Committee recommend Council approve:

- 1. That the Traffic and Parking By-law No. 1 of 1996 be amended to;**
 - (a) establish the new regulations for controlled-access roads and HOV lanes, as described in the report;**
 - (b) designate;**
 - (I) Regional Road 79 (the Airport Parkway) between Bronson Avenue and the MacDonald-Cartier International Airport, and;**
 - (ii) Regional Road 174 (former Highway 17) between Highway 417 and Regional Road 57 (Trim Road);**

as controlled-access roads;

- (c) amend Section 73 by adding the phrase “motor assisted bicycle” immediately following the word “bicycle”;**
- (d) amend Schedule XXVIII to prohibit bicycles, motor assisted bicycles and animals on the section of Regional Road 174 designated as a controlled-access road;**

- (e) **amend Schedule XVIIIID to prohibit pedestrians on the section of Regional Road 174 designated as a controlled-access road, and;**
 - (f) **amend Section 1 by deleting the phrase “Section 36 of the Public Transportation and Highway Improvement Act or” from the definition of “controlled-access road”;**
2. **That the Environment and Transportation Commissioner be delegated the authority to establish HOV lanes and controlled-access roads, as required, subject to Council approved and Departmental policies, and in accordance with the provisions of the Traffic and Parking By-law No. 1 of 1996, as amended.**

INTRODUCTION

The Traffic and Parking By-law has to be amended to include provisions for the implementation of High Occupancy Vehicle (HOV) Lanes and the designation of select roads as controlled-access roads. Even though these are two separate subjects, they will both be in the same part of the Traffic and Parking By-law as consecutive sections; therefore, for expediency they are both discussed here.

BACKGROUND - CONTROLLED-ACCESS ROADS

The Corporation has recently assumed jurisdiction over two roads that were designated as controlled-access roads by their former owners. The two roads in question are the Airport Parkway (now Regional Road 79), and former Highway 17 (now Regional Road 174) from Highway 417 (the split) to a point 500 m east of Trim Road (Regional Road 57). Like the former owners, the Region is authorized to designate these roads as controlled-access roads, but an amendment to the Traffic and Parking By-law is required to implement that authority.

A controlled-access road gives preference to through traffic by providing access connections with selected roads only, by prohibiting crossings at grade and direct private driveway connections. As well, controlled-access roads are usually high speed roads where it is desirable to prohibit animals and such activities as walking and bicycling.

BACKGROUND - HIGH-OCCUPANCY VEHICLE LANES

HOV lanes are roadway lanes that may be used only by public transit vehicles, taxis and automobiles carrying a minimum number of occupants (usually three). They are intended to encourage automobile users to form car-pools, leading to an overall reduction in automobile use.

At present there are no HOV lanes in Ottawa-Carleton, but the City of Hull has implemented them on Maisonneuve and Taché Boulevards and the National Capital Commission has implemented them on the Portage Bridge.

The authority for the Region to establish HOV lanes is found in subsection 32(2) of the Regional Municipalities Act. The authority for staff to implement HOV lanes is in Section 2.5.4 of the recently approved Transportation Master Plan, which states:

“Council shall consider high-occupancy vehicle lanes as a potential transit priority measure, where required, on Regional roads.”

PROPOSED BY-LAW AMENDMENTS

The Traffic and Parking By-law No. 1 of 1996 will have to be amended to include provisions for the establishment of HOV lanes and controlled-access roads. It is therefore recommended that the following new headings and sections be added to the by-law immediately following Section 41A:

RESERVED HIGH-OCCUPANCY VEHICLE (HOV) LANES

Establishment - Schedule “XVIIIIB”

- 41B. (1) The lanes set out in column 3 of Schedule "XVIIIIB", on the highway set out in column 1 of the said Schedule "XVIIIIB", between the limits set out in column 2 of the said Schedule "XVIIIIB" are hereby established as Reserved High Occupancy Vehicle Lanes during the times or days set out in column 4 of the said Schedule "XVIIIIB".

Regulation of Use

- (2) When authorized signs have been erected, no person shall:
- (a) drive or permit to be driven any vehicle, other than a high-occupancy vehicle carrying the minimum number of persons shown on the authorized signs and set out in column 5 of the said Schedule "XVIIIIB"; or
 - (b) stop or permit to remain stopped any vehicle, other than a public transit motor vehicle,

on any lane or part of lane established as a Reserved High Occupancy Vehicle Lane under subsection (1) hereof.

Exemption

- (3) Subsection (2) hereof shall not apply to prevent:
- (a) a vehicle making a right hand turn provided the vehicle does not enter the Reserved High Occupancy Vehicle Lane at a point farther from the point of making the right hand turn than the distance set out in column 6 of Schedule "XVIIIIB" opposite such Reserved High Occupancy Vehicle Lane;

- (b) the driver of a taxicab, operating under a valid taxi license, from stopping for a period of not more than forty-five (45) seconds for the purpose of and while in the process of receiving or discharging passengers, provided that such taxicab shall not be stopped in a lane set out in column 3 of Schedule "XVIII B" during the times or days set out in column 4 of the said Schedule "XVIII B" in such a manner as to interfere with the movement of a high occupancy vehicle;
- (c) the stopping of a motor vehicle for the purpose of and while actually engaged in receiving or discharging a physically disabled person, provided that:
 - (i) such motor vehicle shall not be stopped in a lane set out in column 3 of Schedule "XVIII B" during the times or days set out in column 4 of the said Schedule "XVIII B" in such a manner as to interfere with the movement of a high occupancy vehicle; and
 - (ii) such motor vehicle has a valid physically disabled permit displayed upon its dashboard or on the sun visor in accordance with the provisions of the Highway Traffic Act.
- (d) the operation of a bicycle when permitted by authorized signs, or
- (e) the operation of an authorized vehicle.

PART IVA

CONTROLLED-ACCESS ROADS

Establishment - Schedule "XVIII C"

- 41C. (1) The highways set out in column 1 of Schedule "XVIII C" to this by-law between the limits set out in column 2 of the said Schedule "XVIII C" are hereby designated as controlled-access roads.

Regulation of Use

- (2) No person shall:
- (a) sell, offer or expose for sale any vegetables, fruit or other produce or any goods or merchandise upon a controlled-access road; or
 - (b) construct or use any private road, entranceway, gate or other structure or facility as a means of access to a controlled-access road.

Direction to Close

- (3) The Environment and Transportation Commissioner may give notice to the owner of land to close up any private road, entranceway, gate or other structure or facility constructed or used as a means of access to a controlled-access road in contravention of paragraph 41C(2)(b).
- (4) Where the person to whom notice is given under subsection 41C (3) hereof fails to comply with the notice within 30 days after its receipt, the Environment and Transportation Commissioner may close up the private road, entranceway, gate or other structure or facility, as required by the notice, at the cost of the land owner.

PEDESTRIANS PROHIBITED ON
CONTROLLED- ACCESS ROADS - Schedule "XVIIIID"

- 41C. (1) When official signs have been erected, no pedestrian shall enter on the highways set out in column 1 of Schedule "XVIIIID" to this by-law between the limits set out in column 2 of the said Schedule "XVIIIID".

Exemption

- (2) Subsection (1) hereof shall not apply to pedestrians:
 - (a) engaged in police duties, highway maintenance or construction duties; or
 - (b) making use of a controlled-access road where the use is necessary because of an emergency.

Section 73 of the Traffic and Parking By-law prohibits bicycles and animals on any highway listed in Schedule "XXVIII". Due to the high vehicular speeds on Regional Road 174 it is not considered safe for cyclists and animals; therefore, it is recommended that they be prohibited. Motor assisted bicycles are also a concern because of their slow acceleration and top speed. It is therefore recommended that Section 73 be amended to include motor assisted bicycles, and that they also be prohibited on Regional Road 174. On the other hand the Airport Parkway, for the most part, is a two-lane highway with lower speeds and, subject to evolving future conditions, it is recommended that cyclists, motor assisted bicycles and animals be permitted at the present time. The same logic applies for pedestrians in that they should be prohibited on Regional Road 174 and permitted on the Airport Parkway.

Additionally, some definition amendments have to be made. The existing definition for a controlled-access road has to be amended by deleting any reference to the Public Transportation and Highway Improvement Act. The Region derives its authority for the establishment and regulation of controlled-access roads from the Regional Municipalities Act.

It is also necessary to define some of the terms for high occupancy vehicle lanes. Specifically, it is recommended that the following new definitions be added to Section 1 immediately following definition 19.

19a. “high occupancy vehicle or HOV” means a motor vehicle carrying two or more persons including the driver.

19b. “HOV_x” means a motor vehicle carrying x or more persons including the driver.

COMMISSIONER’S DELEGATED AUTHORITY

The Environment and Transportation Commissioner has been delegated the authority to implement the provisions of the Traffic and Parking By-law, except for new traffic control signals and truck routes. It is recommended that the authority be expanded to include HOV lanes and controlled-access roads.

CONSULTATION

Public consultation is not required for either of these new controls. The new regulations for controlled-access roads is an administrative procedure to preserve the current controlled access status of roads that have been transferred to the Region’s jurisdiction. The establishment of HOV lanes is one of the initiatives identified in the recently approved Transportation Master Plan which was subjected to extensive public consultation.

FINANCIAL IMPLICATIONS

There are no financial implications vis-à-vis the establishment of controlled-access roads, and only a nominal cost to erect the necessary authorized signs to establish the High Occupancy Vehicle Lanes.

REGIONAL OFFICIAL PLAN/TRANSPORTATION MASTER PLAN

The establishment of High Occupancy Vehicle Lanes is in compliance with Section 2.5.4 of the Transportation Master Plan.

*Approved by G. Malinsky on behalf of
Doug Brousseau*

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